

1 J. Andrew Coombs (SBN 123881)
2 andy@coombspc.com
3 Annie S. Wang (243027)
4 annie@coombspc.com
5 J. Andrew Coombs, A Prof. Corp.
6 517 E. Wilson Ave., Suite 202
7 Glendale, California 91206
8 Telephone: (818) 500-3200
9 Facsimile: (818) 500-3201

10 Attorneys for Plaintiff,
11 Nike, Inc.

12 UNITED STATES DISTRICT COURT
13
14 NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

15 Nike, Inc.

16 Plaintiff,

17 v.

18 Mohamed Ali, an individual and d/b/a Redwood
19 Wireless and Does 1 through 10, inclusive,

20 Defendants.

Case No. CV07-05737 JSW

**REQUEST FOR ENTRY OF DEFAULT;
DECLARATION IN SUPPORT**

21 Plaintiff Nike, Inc. ("Plaintiff") hereby requests that the Clerk of the above-entitled Court
22 enter the default in this matter against Defendant Mohamed Ali, an individual and d/b/a Redwood
23 Wireless ("Defendant") on the grounds that the Defendant has failed to respond to the Complaint in
24 this action within the time proscribed by the Federal Rules of Civil Procedure.

25 Plaintiff served the Summons and Complaint on Defendant on or about November 19, 2007.

26 Proof of service was previously filed with the Court on or about December 4, 2007.

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1 The above stated facts are set forth in the accompanying declaration of J. Andrew Coombs
2 filed herewith.
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5 DATED: January 14, 2008

J. Andrew Coombs, A Professional Corp.

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8 By: ~~J. Andrew Coombs~~
Annie S. Wang
Attorneys for Plaintiff Nike, Inc.
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DECLARATION OF J. ANDREW COOMBS

I, J. ANDREW COOMBS, declare as follows:

1. I am an attorney at law, duly admitted to practice before the Courts of the State of California and the United States District Court for the Northern District of California. I am an attorney for Plaintiff Nike, Inc., ("Plaintiff") in an action styled Nike, Inc., v. Mohamed Ali, an individual d/b/a Redwood Wireless, et al. I make this Declaration in support of Plaintiff's request that the Court Clerk enter default in this matter against Defendant Mohamed Ali, an individual and d/b/a Redwood Wireless. Except as otherwise expressly stated to the contrary, I have personal knowledge of the following facts and, if called as a witness, I could and would competently testify as follows:

2. I am informed and believe the Defendant was served with Summons and Complaint on or about November 19, 2007.

3. I am informed and believe Defendant stated that he was not a member of the United States military during personal service of the Summons and Complaint which occurred on or about November 19, 2007. Based upon this information, I am informed and believe Defendant is not currently serving in the military.

4. On or about December 4, 2007, Plaintiff filed the proof of service on Defendant with the Court.

5. On or about December 10, 2007, and after engaging in settlement discussions prior to this date, Plaintiff and Defendant reached a tentative settlement of all claims in this matter. On this same day, documentation memorializing the terms of the settlement reached in this action were forwarded via U.S. Priority Mail to Defendant for review and execution.

6. On or about December 21, 2007, I am informed and believe my office made contact with Defendant and was informed that executed settlement documents would be ready to return to our offices, as per the initial terms of the settlement reached regarding the return of said documents.

7. On or about January 3, 2008, my office sent to Defendant a letter regarding the filing of this Request for Entry of Default, as settlement documents previously sent to Defendant as well as numerous telephone calls subsequent to December 21, 2007 went either unanswered or unreturned. A true and correct copy of the letter is attached hereto as Exhibit A.

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1 8. I am unaware of any response to the Complaint in this action within the time proscribed
2 by the Federal Rules of Civil Procedure, and have confirmed this on PACER on January 9, 2008. I
3 am informed and believe that there has been no response to the Complaint from Defendant.

4 I declare under penalty of perjury that the foregoing is true and correct under the laws
5 of the United States of America.

6 Executed this 11th day of January, 2008, at Glendale, California

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9 J. ANDREW COOMBS
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LAW OFFICES
J. ANDREW COOMBS
A PROFESSIONAL CORPORATION
517 EAST WILSON AVENUE, SUITE 202
GLENDALE, CALIFORNIA 91206-5902
TELEPHONE (818) 500-3200
FACSIMILE (818) 500-3201

January 3, 2008

Via First Class Mail

Mr. Mohamed Ali
Redwood Wireless
3708 Florence St.
Redwood City, California 94063

Re: **Nike, Inc. v. Mohamed Ali d/b/a Redwood Wireless, et al.**
CV07-5737 JSW


Dear Mr. Ali:

We write to inform you that the settlement documents sent to you on or about December 10, 2007 have yet to be received by our office. After repeated attempts to contact you via telephone to resolve this issue we have no choice but to move this matter forward.

Therefore, Plaintiff will request entry of default against you should we not receive the executed settlement documents (sent to you on or about December 10, 2007) and the settlement liability payment in the amount of \$500.00 on or before January 8, 2008. Otherwise, please file and Answer to the Complaint immediately.

This letter is not a complete statement of Nike, Inc.'s rights in connection with this matter, and nothing contained herein constitutes an express or implied waiver of any rights, remedies or defenses in connection with this matter, all of which are expressly reserved.

Very truly yours,
J. Andrew Coombs,
A Professional Corporation


By: Jeremy Cordero
for Plaintiff Nike, Inc.

Enclosures

JJC:bm

PROOF OF SERVICE

I, the undersigned, certify and declare that I am over the age of 18 years, employed in the County of Los Angeles, and not a party to the above-entitled cause. I am employed by a member of the Bar of the United States District Court of California. My business address is 517 E. Wilson Ave., Suite 202, Glendale, California 91206.

On January 17, 2008, I served on the interested parties in this action with the following:

- REQUEST FOR ENTRY OF DEFAULT; DECLARATION IN SUPPORT

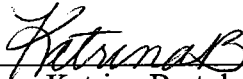
for the following civil action:

Nike, Inc. v. Mohamed Ali, et al.

by placing a true copy thereof in an envelope to be immediately sealed thereafter. I am readily familiar with the office's practice of collecting and processing correspondence for mailing. Under that practice it would be deposited with the United States Postal Service on the same day with postage thereon fully prepaid at Glendale, California in the ordinary course of business. I am aware that on motion of the party served, service presumed invalid if postal cancellation date or postage meter is more than one day after date of deposit for mailing in affidavit.

Mohamed Ali, an individual and d/b/a Redwood Wireless 3708 Florence St. Redwood City, California 94063	
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Place of Mailing: Glendale, California
Executed on January 17, 2008, at Glendale, California



Katrina Bartolome